

1 BERNSTEIN LITOWITZ BERGER
2 & GROSSMANN LLP
3 DAVID R. STICKNEY (Bar No. 188574)
4 BENJAMIN GALDSTON (Bar No. 211114)
5 DAVID R. KAPLAN (Bar No. 230144)
6 12481 High Bluff Drive, Suite 300
7 San Diego, CA 92130
8 Tel: (858) 793-0070
9 Fax: (858) 793-0323
davids@lblglaw.com
beng@lblglaw.com
davidk@lblglaw.com

10 KAPLAN FOX & KILSHEIMER LLP
11 LAURENCE D. KING (Bar No. 206423)
12 MARIO M. CHOI (Bar No. 243409)
13 350 Sansome Street, Suite 400
14 San Francisco, CA 94104
Tel: (415) 772-4700
Fax: (415) 772-4707
lking@kaplanfox.com
mchoi@kaplanfox.com

15 *Attorneys for Lead Plaintiffs Arkansas Teacher
16 Retirement System, Första-AP Fonden and
17 Danske Invest Management A/S*

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 IN RE SUNPOWER SECURITIES
22 LITIGATION

23 KESSLER TOPAZ MELTZER
24 & CHECK, LLP
25 RAMZI ABADOU (Bar No. 222567)
26 ELI R. GREENSTEIN (Bar No. 217945)
27 STACEY M. KAPLAN (Bar No. 241989)
28 ERIK D. PETERSON (Bar No. 257098)
580 California Street, Suite 1750
San Francisco, CA 94104
Tel: (415) 400-3000
Fax: (415) 400-3001
rabadou@ktmc.com
egreenstein@ktmc.com
skaplan@ktmc.com
epeterson@ktmc.com

Case No. CV 09-5473-RS
(Consolidated)

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER REGARDING
INTERROGATORY LIMITS**

WHEREAS, Rule 33(a)(1) of the Federal Rules of Civil Procedure provides that each party may serve no more than 25 written interrogatories unless otherwise stipulated or ordered by the Court;

WHEREAS, the parties have met and conferred in good faith and believe that a total of 35 interrogatories per side (*i.e.*, 35 interrogatories in total for plaintiffs and 35 interrogatories in total for defendants) is reasonable and appropriate in light of the facts and issues presented in this case;

IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as follows:

Lead Plaintiffs Arkansas Teacher Retirement System, Första-AP Fonden, and Danske Invest Management A/S may collectively serve up to a total of 35 interrogatories pursuant to Fed. R. Civ. P. 33; and defendants SunPower Corporation, Thomas H. Werner, Dennis V. Arriola and Emmanuel T. Hernandez may collectively serve up to a total of 35 interrogatories pursuant to Fed. R. Civ. P. 33. This stipulation is without prejudice to further increases, if necessary, upon agreement of the parties or with leave of Court, and the parties reserve the right to oppose any such future request.

Dated: April 16, 2012

Respectfully submitted,

**KESSLER TOPAZ MELTZER
& CHECK, LLP**

By: *s/Eli R. Greenstein*
ELI R. GREENSTEIN

RAMZI ABADOU
ELI R. GREENSTEIN
STACEY M. KAPLAN
ERIK D. PETERSON
580 California Street, Suite 1750
San Francisco, CA 94104
Tel: (415) 400-3000
Fax: (415) 400-3001

Dated: April 16, 2012

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

By: s/ David R. Stickney
DAVID R. STICKNEY

DAVID R. STICKNEY

1 BENJAMIN GALDSTON
2 DAVID R. KAPLAN
3 12481 High Bluff Drive, Suite 300
4 San Diego, CA 92130
5 Tel: (858) 793-0070
6 Fax: (858) 793-0323

7 Dated: April 16, 2012

KAPLAN FOX & KILSHEIMER LLP

7 By: s/ Laurence D. King
8 LAURENCE D. KING

9 LAURENCE D. KING
10 MARIO M. CHOI
11 350 Sansome Street, Suite 400
12 San Francisco, CA 94104
13 Tel: (415) 772-4700
14 Fax: (415) 772-4707

15 -and-

16 FREDERIC S. FOX
17 JOEL B. STRAUSS
18 DONALD R. HALL
19 CHRISTINE M. FOX
20 850 Third Avenue, 14th Floor
21 New York, NY 10022
22 Tel: (212) 687-1980
23 Fax: (212) 687-7714

24 *Attorneys for Lead Plaintiffs Arkansas Teacher
25 Retirement System, Första-AP Fonden and
26 Danske Invest Management A/S*

27 Dated: April 16, 2012

MORRISON & FOERSTER LLP

28 By: s/ Craig Martin
29 CRAIG MARTIN

30 JORDAN ETH
31 JUDSON LOBDELL
32 CRAIG MARTIN
33 SAMUEL S. SONG
34 425 Market Street
35 San Francisco, CA 94105
36 Tel: (415) 268-7000
37 Fax: (415) 268-7522

38 *Attorneys for Defendants SunPower Corporation,
39 Thomas H. Werner, Dennis V. Arriola and
40 Emmanuel T. Hernandez*

1 **CERTIFICATION UNDER GENERAL ORDER NO. 45**

2 I, Eli R. Greenstein, am the ECF User whose ID and password are being used to file this
3 Stipulation and [Proposed] Order Regarding Interrogatory Limits. In compliance with General
4 Order No. 45, X.B., I attest that David Stickney, Laurence King and Craig Martin have
5 concurred in this filing.

6 Dated: April 16, 2012

s/Eli R. Greenstein
ELI R. GREENSTEIN

9 **[PROPOSED] ORDER**

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12 Dated: _____, 2012

13 HONORABLE RICHARD SEEBORG
14 UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on April 16, 2012, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system which will send notification of such filing to the e-mail
4 addresses denoted on the attached Electronic Mail Notice List.

5 I certify under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct. Executed on April 16, 2012.

7 *s/Eli R. Greenstein*
8 ELI R. GREENSTEIN

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25
26
27
28

Mailing Information for a Case 3:09-cv-05473-RS

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Ramzi Abadou**
rabadou@ktmc.com,knguyen@ktmc.com,arobles@ktmc.com
- **George Carlos Aguilar**
GAguilar@robbinsumeda.com,Notice@robbinsumeda.com
- **Jaime Allyson Bartlett**
jbartlett@sidley.com,dgiusti@sidley.com
- **Sara B. Brody**
sbrody@sidley.com,tnewman@sidley.com,jbartlett@sidley.com
- **Mario Man-Lung Choi**
mchoi@kaplanfox.com,kweiland@kaplanfox.com
- **Aviah Cohen Pierson**
acohenpierson@kaplanfox.com
- **Jordan Eth**
jeth@mofo.com,nurbina@mofo.com
- **Frederic S. Fox**
ffox@kaplanfox.com
- **Benjamin Galdston**
beng@blbglaw.com,denab@blbglaw.com,kristid@blbglaw.com,ranaew@blbglaw.com
- **Michael M. Goldberg**
mmgoldberg@glancylaw.com
- **Eli Greenstein**
egreenstein@ktmc.com
- **Donald R Hall**
dhall@kaplanfox.com
- **Dennis J. Herman**
dennish@rgrdlaw.com,khuang@rgrdlaw.com,e_file_sd@rgrdlaw.com,triciam@rgrdlaw.com,e_file_sf@rgrdlaw.com
- **Stephen D. Hibbard**
shibbard@shearman.com,rcheatham@shearman.com
- **Robert N. Kaplan**
rkaplan@kaplanfox.com
- **Stacey Marie Kaplan**
skaplan@ktmc.com
- **Reed R. Kathrein**
reed@hbsslaw.com,peterb@hbsslaw.com,pashad@hbsslaw.com,sf_filings@hbsslaw.com
- **Mark P. Kindall**
firm@izardnobel.com,mkindall@izardnobel.com

- **Laurence D. King**
lking@kaplanfox.com,kweiland@kaplanfox.com
- **Angela Elaine Kleine**
akleine@mofo.com
- **Joy Ann Kruse**
jakruse@lchb.com
- **Nicole Catherine Lavallee**
nlavallee@bermandevalerio.com,ysoboleva@bermandevalerio.com
- **Judson Earle Lobdell**
jlobdell@mofo.com,mblackmer@mofo.com
- **Tricia Lynn McCormick**
triciam@rgrdlaw.com,e_file_sd@rgrdlaw.com,e_file_sf@rgrdlaw.com
- **Kim Elaine Miller**
kimmiller225@yahoo.com,kim.miller@ksfcounsel.com
- **Erik David Peterson**
epeterson@ktmc.com,dcheck@ktmc.com,arobles@ktmc.com
- **Aviah Cohen Pierson**
acohenpierson@kaplanfox.com
- **Darren Jay Robbins**
e_file_sd@rgrdlaw.com
- **David Ronald Stickney**
davids@blbglaw.com
- **Joel B. Strauss**
jstrauss@kaplanfox.com
- **Sean Travis Strauss**
invalidaddress@invalidaddress.com,sstrauss@steinlubin.com
- **Joseph J. Tabacco , Jr**
jtabacco@bermandevalerio.com,ysoboleva@bermandevalerio.com
- **David Conrad Walton**
davew@rgrdlaw.com
- **Shawn A. Williams**
shawnw@rgrdlaw.com,khuang@rgrdlaw.com,e_file_sd@rgrdlaw.com,e_file_sf@rgrdlaw.com
- **Laurence Reza Wrathall**
laurence.wrathall@blbglaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Catherine J. Kowalewski
Robbins Geller Rudman & Dowd LLP
655 W Broadway

Suite 1900
San Diego, CA 92101